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**U.S. District Court  
Northern District of Ohio (Cleveland)  
CIVIL DOCKET FOR CASE #: 1:06-cv-02616-PAG  
Internal Use Only**

Parker-Hannifin Corporation et al. v. Champion  
Laboratories, Inc.  
Assigned to: Judge Patricia A. Gaughan  
Cause: 28:1338 Patent Infringement

Date Filed: 10/27/2006  
Date Terminated: 08/29/2008  
Jury Demand: None  
Nature of Suit: 830 Patent  
Jurisdiction: Federal Question

**Plaintiff****Parker-Hannifin Corporation**represented by **Francis DiGiovanni**

Pat. # 6,554,139  
6,983,851

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V.

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Date Filed	#	Docket Text
10/27/2006	<u>1</u>	Complaint against Champion Laboratories, Inc. ( Filing fee 350 receipt number 2193248.). Filed by Parker-Hannifin Corporation, Parker Intangibles, LLC. (Attachments: # 1)(Cornett, Harry) (Entered: 10/27/2006)
10/30/2006	<u>2</u>	Supplement (civil cover sheet) to <i>Complaint</i> filed by Parker-Hannifin Corporation, Parker Intangibles, LLC. Related document(s) <u>1</u> . (Cornett, Harry) Modified text on 11/2/2006 (E, P). (Entered: 10/30/2006)
10/30/2006	<u>3</u>	Corporate Disclosure Statement filed by all plaintiffs (Originally attached to complaint). (C, BA) (Entered: 10/30/2006)
10/30/2006		Judge Patricia A. Gaughan assigned to case. (C, BA) (Entered: 10/30/2006)
10/30/2006		Random Assignment of Magistrate Judge pursuant to Local Rule 3.1. In the event of a referral, case will be assigned to Magistrate Judge Hemann. (C, BA) (Entered: 10/30/2006)
10/30/2006	<u>4</u>	Magistrate Consent Form issued to counsel. No summons provided, no summons issued. (C, BA) (Entered: 10/30/2006)
11/07/2006	<u>5</u>	Case Management Conference Scheduling Order with case management conference set on 12/14/2006 at 09:15 a.m. to be held telephonically before Hon. Patricia A. Gaughan. Signed by Judge Patricia A. Gaughan on 11/07/06. (D, MB) (Entered: 11/07/2006)

12/06/2006	<u>6</u>	Motion to continue <i>Case Management Conference</i> filed by Parker-Hannifin Corporation, Parker Intangibles, LLC. Related document(s) <u>5</u> . (Cornett, Harry) (Entered: 12/06/2006)
12/08/2006		Order [non-document]: Plaintiffs' Motion to continue Case Management Conference is granted to 3/2/2007 at 08:45 AM. Signed by Judge Patricia A. Gaughan on 12/7/06.(Related Doc # <u>6</u> )(L-C, S) (Entered: 12/08/2006)
02/20/2007	<u>7</u>	Motion to continue <i>Case Management Conference and to Extend time to Accomplish Service</i> filed by Parker-Hannifin Corporation, Parker Intangibles, LLC. (Cornett, Harry) (Entered: 02/20/2007)
02/21/2007		Order [non-document]: Plaintiff's Motion to continue Case Management Conference and to Extend time to Accomplish Service is granted to 5/2/07 at 8:45 AM and will conducted by telephone with the Court initiating the call. Signed by Judge Patricia A. Gaughan on 2/21/07. (Related Doc # <u>7</u> )(LC,S) (Entered: 02/21/2007)
04/19/2007	<u>8</u>	Praecipe filed by Parker-Hannifin Corporation, Parker Intangibles, LLC. (Attachments: # <u>1</u> Summons)(Cornett, Harry) (Entered: 04/19/2007)
04/25/2007	<u>9</u>	Summons issued to counsel on 4/25/07 for service upon Champion Laboratories, Inc. (E,P) (Entered: 04/25/2007)
04/26/2007	<u>10</u>	Motion to continue <i>Case Management Conference; and Extend Time to Accomplish Service</i> filed by Parker-Hannifin Corporation, Parker Intangibles, LLC. (Cornett, Harry) (Entered: 04/26/2007)
04/30/2007		Order[non-document]Plaintiff's motion to continue Case Management Conference; and extend time to accomplish service is granted to 6/4/2007 at 08:45 AM and will be held telephonically before Judge Hon. Patricia A. Gaughan. Approved by Judge Patricia A. Gaughan(Related Doc # <u>10</u> ) (D,MB) (Entered: 04/30/2007)
05/15/2007	<u>11</u>	Attorney Appearance by Gary A. Corroto filed by on behalf of Champion Laboratories, Inc.. (Corroto, Gary) (Entered: 05/15/2007)
05/15/2007	<u>12</u>	Motion for attorney M. Curt Lambert to Appear Pro Hac Vice Filing fee 100, receipt number 2467818. filed by Parker-Hannifin Corporation, Parker Intangibles, LLC. (Attachments: # <u>1</u> Exhibit A, Declaration of M. Curt Lambert)(Cornett, Harry) (Entered: 05/15/2007)
05/15/2007	<u>13</u>	Motion for attorney Francis DiGiovanni to Appear Pro Hac Vice Filing fee 100, receipt number 2467836. filed by Parker-Hannifin Corporation, Parker Intangibles, LLC. (Attachments: # <u>1</u> Exhibit A, Declaration of Francis DiGiovanni)(Cornett, Harry) (Entered: 05/15/2007)
05/16/2007	<u>14</u>	Motion for extension of time until June 20, 2007 to answer filed by Champion Laboratories, Inc.. (Corroto, Gary) (Entered: 05/16/2007)
05/16/2007		Order [non-document] Granting Motion for appearance pro hac vice by attorney M. Curt Lambert for Parker-Hannifin Corporation and Parker Intangibles, LLC. Approved by Judge Patricia A. Gaughan on 5/16/07. (Related Doc # <u>12</u> )(LC,S) (Entered: 05/16/2007)

05/16/2007		Order [non-document] Granting Motion for appearance pro hac vice by attorney Francis DiGiovanni for Parker-Hannifin Corporation and Parker Intangibles, LLC. Approved by Judge Patricia A. Gaughan on 5/16/07. (Related Doc # <u>13</u> ) (LC,S) (Entered: 05/16/2007)
05/18/2007		Order [non-document]: Defendant's Motion for Extension of Time to Answer or Otherwise Respond to Complaint is granted to 6/20/2007. Approved by Judge Patricia A. Gaughan on 5/16/07. (Related Doc. <u>14</u> ) (LC,S) (Entered: 05/18/2007)
05/29/2007	<u>15</u>	Motion for attorney Seymour Rothstein to Appear Pro Hac Vice Filing fee 100, receipt number 2485178. filed by Champion Laboratories, Inc.. (Attachments: # <u>1</u> Exhibit Certificate of Good Standing)(Corroto, Gary) (Entered: 05/29/2007)
05/29/2007	<u>16</u>	Motion for attorney Joseph Ming Kuo to Appear Pro Hac Vice Filing fee 100, receipt number 2485207. filed by Champion Laboratories, Inc.. (Attachments: # <u>1</u> Exhibit Certificate of Good Standing)(Corroto, Gary) (Entered: 05/29/2007)
05/30/2007		Order [non-document]: Defendant's Motion for admission pro hac vice of attorney Seymour Rothstein is granted. (Related Doc # <u>15</u> ) Approved by Judge Patricia A. Gaughan on 5/30/07.(LC,S) (Entered: 05/30/2007)
05/30/2007		Order [non-document]: Defendant's Motion for admission pro hac vice of attorney Joseph Ming Kuo is granted. (Related Doc # <u>16</u> ) Approved by Judge Patricia A. Gaughan on 5/30/07.(LC,S) (Entered: 05/30/2007)
05/30/2007	<u>17</u>	Report of Parties' Planning Meeting. Parties do not consent to this case being assigned to the magistrate judge. filed by all plaintiffs. (Cornett, Harry) (Entered: 05/30/2007)
06/01/2007	<u>18</u>	Supplemental Report of Parties' Planning Meeting <i>Under Fed. R. Civ. P. 26 (f) and L.R. 16.3(b)</i> . Parties do not consent to this case being assigned to the magistrate judge. filed by Parker-Hannifin Corporation. (Cornett, Harry) (Entered: 06/01/2007)
06/01/2007	<u>19</u>	Supplemental Report of Parties' Planning Meeting ( <i>Revised</i> ). Parties do not consent to this case being assigned to the magistrate judge. filed by all plaintiffs. Related document(s) <u>18</u> .(Cornett, Harry) (Entered: 06/01/2007)
06/04/2007	<u>20</u>	Case Management Order: Case Management Conference held on 6/4/07. Case assigned to the Standard Track. Case is suitable for ECF. Non-expert discovery as to damages shall be completed by 7/23/07. Expert Reports exchanged by 8/22/07 for plaintiff and 9/21/07 for defendant and Expert discovery due by 10/22/07. Merit briefs shall be filed on or before 11/08/07. Brief in opposition shall be filed on or before 11/28/07. Reply brief shall be filed on or before 12/07/07. Status Conference set for 9/27/07 at 09:00 AM and will be conducted by telephone with the Court initiating the call. Signed by Judge Patricia A. Gaughan on 6/4/07. (LC,S) (Entered: 06/04/2007)
06/11/2007	<u>21</u>	Withdrawal of Jury Demand filed by Parker-Hannifin Corporation, Parker Intangibles, LLC. (Cornett, Harry) Modified on 6/14/2007 (S, R). (Entered: 06/11/2007)

		06/11/2007)
06/20/2007	<u>22</u>	Answer to Complaint (Related Doc # <u>1</u> ) filed by Champion Laboratories, Inc.. (Corroto, Gary) (Entered: 06/20/2007)
07/20/2007	<u>23</u>	Joint <b>Motion</b> for Entry of Stipulated Protective Order filed by all parties. (Attachments: # <u>1</u> Stipulated Protective Order)(Cornett, Harry) Modified on 7/23/2007, adding party filers (R, N). (Entered: 07/20/2007)
08/03/2007	<u>24</u>	Stipulated <b>Protective Order</b> . Signed by Judge Patricia A. Gaughan on 7/31/2007. (Attachments: # <u>1</u> Exhibit A)(B,B) (Entered: 08/03/2007)
09/14/2007	<u>25</u>	Proposed Order to <i>Revise Case Management Order</i> filed by Parker-Hannifin Corporation, Parker Intangibles, LLC. Related document(s) <u>5</u> . (Cornett, Harry) (Entered: 09/14/2007)
09/20/2007	<u>26</u>	<b>Minutes/Order</b> : Stipulated Revised Case Management Order is Accepted. Status Conference, with parties present, is continued to 11/29/2007 at 09:00 AM. Counsel are reminded that this case is on the Standard Track. Signed by Judge Patricia A. Gaughan on 9/18/07. (related doc. <u>25</u> ) (LC,S) (Entered: 09/20/2007)
11/14/2007	<u>27</u>	<b>Minutes/Order</b> : Status Conference, with parties present, set 11/29/2007 at 9:00 AM has been changed to 10:00 AM due to a scheduling conflict. Signed by Judge Patricia A. Gaughan on 11/9/07. (LC,S) (Entered: 11/14/2007)
11/20/2007	<u>28</u>	Joint <b>Motion</b> to clarify and confirm that status conference will be conducted by telephone filed by Defendant Champion Laboratories, Inc.. Related document(s) <u>27</u> . (Corroto, Gary) (Entered: 11/20/2007)
11/26/2007		<b>Order</b> [non-document]: Joint Motion to confirm that status conference will be conducted by telephone is Granted. Approved by Judge Patricia A. Gaughan on 11/26/07. (Related Doc # <u>28</u> )(LC,S) (Entered: 11/26/2007)
11/29/2007	<u>29</u>	<b>Motion</b> for attorney Dennis H. Ma to Appear Pro Hac Vice. Filing fee \$ 100, receipt number 06470000000002741050, filed by Defendant Champion Laboratories, Inc.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Proposed Order) (Corroto, Gary) (Entered: 11/29/2007)
12/03/2007		<b>Order</b> [non-document]: Motion for appearance pro hac vice by attorney Dennis Hiunam Ma as co-counsel for Defendant Champion Laboratories, Inc. is Granted. Approved by Judge Patricia A. Gaughan on 11/29/07. (Related Doc # <u>29</u> ) (LC,S) (Entered: 12/03/2007)
12/03/2007	<u>30</u>	<b>Minutes/Order</b> : Status Conference was held. All dates given in the Stipulated Revised Case Management Order remain in effect. Signed by Judge Patricia A. Gaughan on 11/29/07. (LC,S) (Entered: 12/03/2007)
12/21/2007	<u>31</u>	Joint <b>Motion</b> for leave to <i>Exceed Page Limitation</i> filed by Parker-Hannifin Corporation, Parker Intangibles, LLC. Defendant Champion Laboratories, Inc.. (Cornett, Harry) (Entered: 12/21/2007)
01/04/2008		<b>Order</b> [non-document]: Joint Motion for leave to Exceed Page Limitation is granted. Approved by Judge Patricia A. Gaughan on 1/4/08. (Related Doc #

		31 ) (LC,S) (Entered: 01/04/2008)
01/11/2008	32	Merit Brief filed by Champion Laboratories, Inc. (filed under seal). (P, S) (Entered: 01/11/2008)
01/11/2008	33	Opening Merit Brief on Damages filed by all plaintiffs. Related document(s) 24 . (B,B) Modified text on 1/14/2008 (B,B). (Document filed under seal pursuant to Court order) (Entered: 01/14/2008)
01/11/2008	34	Declaration of Terry L. Musika in support of opening brief on damages filed by all plaintiffs. Related document(s) 33 , 24 . (Document filed under seal pursuant to Court order)(B,B) (Entered: 01/14/2008)
01/11/2008	35	Declaration of Kathy Edge in support of opening merit brief on damages filed by all plaintiffs. Related document(s) 33 , 24 . (Document filed under seal pursuant to Court order)(B,B) (Entered: 01/14/2008)
01/11/2008	36	Declaration of Charles A. Garris, Jr. in support of opening merit brief on damages filed by all plaintiffs. Related document(s) 33 , 24 . (Document filed under seal pursuant to Court order) (B,B) (Entered: 01/14/2008)
01/11/2008	37	Declaration of Francis DiGiovanni in support of opening merit brief on damages filed by all plaintiffs. Related document(s) 33 , 24 . (Document filed under seal pursuant to Court order)(B,B) (Entered: 01/14/2008)
01/31/2008	38	<b>Motion</b> to exclude Terry L. Musika's testimony on reasonable royalties filed by Defendant Champion Laboratories, Inc. Related document(s) 24 , 34 . FILED UNDER SEAL(S,He) (Entered: 01/31/2008)
01/31/2008	39	<b>Motion</b> in limine to exclude reissue patent no. 38,917 filed by Defendant Champion Laboratories, Inc. Related document(s) 24 . FILED UNDER SEAL (S,He) (Entered: 01/31/2008)
01/31/2008	40	Response brief to opening merit brief on damages filed by Champion Laboratories, Inc. Related document(s) 24 , 32 . FILED UNDER SEAL (S,He) (Entered: 01/31/2008)
01/31/2008	41	<b>Motion</b> to exclude certain testimony of Charles A. Garris filed by Defendant Champion Laboratories, Inc. Related document(s) 24 , 36 . FILED UNDER SEAL (S,He) (Entered: 01/31/2008)
01/31/2008	42	Opposition Brief on damages filed by all plaintiffs. Related document(s) 24 . (B,B)(Document filed under seal pursuant to Court order) (Entered: 02/01/2008)
02/11/2008	43	Reply in support of its opening merit brief on damages filed by Champion Laboratories, Inc. Related document(s) 24 , 40 , 32 . DOCUMENT FILED UNDER SEAL (S,He) (Entered: 02/11/2008)
02/11/2008	44	Reply Brief on Damages filed by all plaintiffs. Related document(s) 24 , 40 , 32 . (B,B)(Document filed under seal pursuant to Court order) (Entered: 02/11/2008)
02/15/2008	45	<b>Opposition to Motion</b> to exclude certain testimony of Charles A. Garris filed by all plaintiffs. (Related doc 24 , 41 )(B,B)(Document filed under seal

		pursuant to Court order) Modified to create an additional link on 2/19/2008 (B, B). (Entered: 02/19/2008)
02/15/2008	46	<b>Opposition to Motion</b> to exclude Terry L. Musika's testimony on reasonable royalties filed by all plaintiffs.(Related doc 24 , 38 ) (B,B)(Document filed under seal pursuant to Court order) Modified to create an additional link on 2/19/2008 (B, B). (Entered: 02/19/2008)
02/15/2008	47	<b>Opposition to Motion</b> in limine to exclude reissue patent No. 38,917 filed by all plaintiffs. (Related doc 24 , 39 )(B,B) Modified to create an additional link on 2/19/2008 (B, B). (Entered: 02/19/2008)
03/03/2008	48	Reply Memorandum in Support of Motion to exclude certain testimony of Charles A. Garris filed by Champion Laboratories, Inc. Related document(s) 24 , 45 , 41 . FILED UNDER SEAL. (B,IE) (Entered: 03/04/2008)
03/03/2008	49	Reply Memorandum in Support of Motion in Limine to exclude reissue patent no. 38,917 filed by Champion Laboratories, Inc. Related document(s) 47 , 24 , 39 . FILED UNDER SEAL. (B,IE) (Entered: 03/04/2008)
03/03/2008	50	Reply Memorandum in support of Motion to exclude Terry L. Musika's Testimony on reasonable royalties filed by Champion Laboratories, Inc. Related document(s) 24 , 46 , 38 . FILED UNDER SEAL. (B,IE) (Entered: 03/04/2008)
03/04/2008		Pursuant to General Order 2008-06, and in order to facilitate the efficient and timely administration of justice, Magistrate Judge Patricia A. Hemann (who retired effective February 29, 2008) is withdrawn and Magistrate Judge Gregory A. White is assigned. Random Assignment of Magistrate Judge pursuant to Local Rule 3.1. In the event of a referral, case will be assigned to Magistrate Judge White. (K,K) (Entered: 03/04/2008)
03/17/2008	<u>51</u>	<b>Motion</b> to supplement <i>authority</i> filed by Defendant Champion Laboratories, Inc.. Related document(s) 43 , 48 , 36 , 45 , 41 , 32 . (Attachments: # <u>1</u> Exhibit 1 Order on Claim Construction, # <u>2</u> Brief in Support of Motion to File Supplemental Authority, # <u>3</u> Proposed Order)(Corroto, Gary) (Entered: 03/17/2008)
04/03/2008	<u>52</u>	<b>Response to <u>51</u> Motion</b> to supplement <i>authority</i> filed by Parker-Hannifin Corporation, Parker Intangibles, LLC. (DiGiovanni, Francis) (Entered: 04/03/2008)
04/22/2008	<u>53</u>	<b>Memorandum Opinion and Order:</b> Plaintiffs are awarded \$86,500 in damages for the Provisional Rights Period. Plaintiffs are further awarded \$543,982 in lost profits for the Infringement Period. Defendant is ordered to submit a calculation of prejudgment interest as detailed above. Defendant's motion to exclude the U.S. Patent No. RE38,917 is DENIED. Defendant's motion to exclude the testimony of Dr. Garris is DENIED. Defendant's motion to exclude the testimony of Mr. Musika is DENIED. Defendant's motion for leave to supplement is DENIED. Signed by Judge Patricia A. Gaughan on 4/22/08. (LC,S) re 33 , 32 , 38 , 39 , 41 , <u>51</u> (Entered: 04/22/2008)



04/29/2008	<u>54</u>	<b>Motion</b> for clarification and <b>Motion</b> for reconsideration filed by Defendant Champion Laboratories, Inc. Related document(s) <u>53</u> . FILED UNDER SEAL.(M,TL) (Entered: 04/29/2008)
05/07/2008	<u>55</u>	<b>Motion</b> to strike <i>Exhibits 2-7 of Champion Laboratories, Inc.'s Memorandum in Support of Its Motion for Clarification and for Reconsideration</i> filed by Parker-Hannifin Corporation, Parker Intangibles, LLC. (DiGiovanni, Francis) (Entered: 05/07/2008)
05/07/2008	<u>56</u>	<b>Opposition</b> to <b>Motion</b> for reconsideration filed by all plaintiffs. (Related doc 24 , 54 )(B,B) (Document filed under seal pursuant to Court order) Modified text and links on 5/7/2008 (B, B). (Entered: 05/07/2008)
05/16/2008	<u>57</u>	<b>Reply</b> to response to <u>55</u> <b>Motion</b> to strike <i>Exhibits 2-7 of Champion Laboratories, Inc.'s Memorandum in Support of Its Motion for Clarification and for Reconsideration</i> filed by Champion Laboratories, Inc. Related document 54 . (Corroto, Gary) Modified text 6/2/2008 (K,K). (Entered: 05/16/2008)
06/02/2008	<u>58</u>	Letter to the Honorable Patricia A. Gaughan regarding Federal Circuit opinion and order in <i>Mars v. Coin Acceptors, Inc.</i> filed by Parker-Hannifin Corporation, Parker Intangibles, LLC. Related document(s) 56 . (Attachments: # <u>1</u> Exhibit Federal Circuit's opinion in <i>Mars v. Coin Acceptors, Inc.</i> )(DiGiovanni, Francis) (Entered: 06/02/2008)
07/01/2008	<u>59</u>	FILING ERROR, ATTORNEY FILED IN WRONG CASE, DOCUMENT FOR CASE 1:07cv1709. <b>Motion</b> to strike <i>Defendants' Belatedly Identified Invalidity Defenses</i> filed by Parker-Hannifin Corporation, Parker Intangibles, LLC. (Attachments: # <u>1</u> Brief in Support of Motion to Strike, # <u>2</u> Proposed Order) (Lambert, M.). Modified on 7/1/2008 (H,SP). (Entered: 07/01/2008)
08/04/2008	<u>60</u>	<b>Memorandum of Opinion and Order</b> granting in part and denying in part defendant's Motion for clarification and reconsideration (Related Doc # 54 ) and granting plaintiffs Motion to strike. Defendant is ordered to submit within 10 days of issuance of this Order a calculation of the simple interest for each damages period at the rate provided for in Ohio Rev. Code 5703.47 including a statement of (1) the number of infringing units sold per year during both the Provisional Rights Period and the Infringement Period; (2) the interest rate used; and (3) the basis for determining that interest rate. (Related Doc # <u>55</u> ). The Court's earlier damages opinion is also hereby modified. Plaintiffs are awarded a reasonable royalty for the provisional rights period in the amount of \$203,524. Signed by Judge Patricia A. Gaughan on 8/4/2008. (B,B) (Entered: 08/04/2008)
08/18/2008	<u>61</u>	Calculation of Prejudgment Interest filed by Champion Laboratories, Inc. (FILED UNDER SEAL) (M,KR) (Entered: 08/18/2008)
08/26/2008	<u>62</u>	<i>Notice of Plaintiffs' Statement of No Opposition to Defendants' Calculation of Prejudgment Interest</i> filed by Parker-Hannifin Corporation, Parker Intangibles, LLC. Related document(s) 61 .(DiGiovanni, Francis) (Entered: 08/26/2008)
08/29/2008	<u>63</u>	<b>Order:</b> This matter is before the Court upon defendant's Calculation of

		Prejudgment Interest. (Doc. 61 ) The Court previously found damages in the amount of \$203,524 as a reasonable royalty for infringement of plaintiffs' provisional rights and \$543,982 in lost profits for infringement of plaintiffs' patent rights. Defendants calculate that the prejudgment interest owed is \$131,202.13. Plaintiffs have submitted notice that they do not object to the calculation "insofar that the calculation does not include prejudgment interest accruing beyond August of 2008." (Doc. 62 ) The Court hereby awards plaintiffs \$131,202.13 in prejudgment interest. Judge Patricia A. Gaughan on 8/28/08. (LC,S) (Entered: 08/29/2008)
08/29/2008	<u>64</u>	<b>Judgment Entry:</b> This Court, having considered the parties' merit briefs and having awarded damages in the amount of \$203,524 as a reasonable royalty for infringement of plaintiffs' provisional rights, \$543,982 in lost profits for infringement of plaintiffs' patent rights and \$131,202.13 in prejudgment interest, hereby enters judgment in favor of plaintiffs. Judge Patricia A. Gaughan on 8/28/08. (LC,S) re <u>63</u> (Entered: 08/29/2008)

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO

PARKER-HANNIFIN CORPORATION and ) CASE NO. \_\_\_\_\_  
PARKER INTANGIBLES LLC, )  
 ) Judge \_\_\_\_\_  
Plaintiffs, )  
 ) COMPLAINT  
v. )  
 ) JURY DEMAND  
CHAMPION LABORATORIES, INC., )  
 )  
Defendants. )

THE PARTIES

1. Plaintiff Parker-Hannifin Corporation ("Parker") is an Ohio Corporation having its headquarters at 6035 Parkland Blvd., Cleveland, Ohio 44124-4141 and having its Racor Division at 3400 Finch Road, Modesto, California 95353.

2. Plaintiff Parker Intangibles LLC ("PI") is a Delaware limited liability company having its principal place of business at 6035 Parkland Blvd., Cleveland, Ohio 44124-4141.

3. On information and belief, Defendant Champion Laboratories, Inc. ("Champion") is a Delaware corporation having its corporate office at 301 Industrial Drive, Albion, Illinois 62806, and it sells various products in California through retailers, distributors and resellers, including the products at issue in this action.

JURISDICTION AND VENUE

4. This is an action for patent infringement arising under the patent laws of the United States, 35 U.S.C. § 1 et seq.

5. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338.

6. Venue in this District is proper under 28 U.S.C. §§ 1391 and 1400(b).

BACKGROUND

7. On April 29, 2003, U.S. Patent No. 6,554,139 ("the '139 patent"), entitled "Extension And Locking Assembly For Dripless Element, And Container Therefore," was duly and legally issued by the United States Patent and Trademark Office. A true and correct copy of the '139 patent is attached as Exhibit A.

8. On January 10, 2006, U.S. Patent No. 6,983,851 ("the '851 patent"), entitled "Extension and Locking Assembly for Dripless Element, and Container Therefore," was duly and legally issued by the United States Patent and Trademark Office. A true and correct copy of the '851 patent is attached as Exhibit B.

9. The '139 and '851 patents are owned by PI. Parker is the exclusive licensee of the '139 and '851 patents, with the right to sue for past, present and future infringement and the right to seek injunctive relief and monetary damages.

10. Champion manufactures and sells oil filters and filter elements ("the accused oil filters"), including an oil filter

1 element designated as LP2017 or Champ Oil Filter LP2017. Upon  
2 information and belief, the accused oil filters are sold to  
3 retailers, distributors and resellers who resell the product  
4 throughout the United States, including in the State of  
5 California.  
6

7 COUNT ONE

8 11. Parker and PI (hereinafter "Plaintiffs") incorporate  
9 the allegations set forth in Paragraphs 1-10 above as if each  
10 were separately set forth at length herein.

11 12. The accused oil filters infringe one or more claims of  
12 the '139 patent.

13 13. Champion is infringing and inducing others to infringe  
14 the '139 patent in violation of 35 U.S.C. § 271, such acts of  
15 infringement have been committed in this judicial district and  
16 others, and will continue to do so unless and until enjoined by  
17 the Court.  
18

19 14. Plaintiffs have suffered and will continue to suffer  
20 damages and irreparable injury as a result of Champion's  
21 infringement.  
22

23 15. Upon information and belief Champion had actual  
24 knowledge of Plaintiff's rights in the '139 patent. Despite  
25 such actual knowledge of Plaintiff's patent rights and their  
26 applicability to the accused oil filters, Champion has willfully  
27 and wantonly continued to infringe Plaintiff's rights in the  
28 '139 patent.

COUNT TWO

16. Plaintiffs incorporate the allegations set forth in Paragraphs 1-10 above as if each were separately set forth at length herein.

17. The accused oil filters infringe one or more claims of the '851 patent.

18. Champion is infringing and inducing others to infringe the '851 patent in violation of 35 U.S.C. § 271, such acts of infringement have been committed in this judicial district and others, and will continue to do so unless and until enjoined by the Court.

19. Plaintiffs have suffered and will continue to suffer damages and irreparable injury as a result of Champion's infringement.

20. Champion was given actual notice of Plaintiff's published application which subsequently issued as the '851 patent. Despite actual knowledge of Plaintiff's patent rights and their applicability to the accused oil filters, Champion has willfully and wantonly continued to infringe Plaintiff's rights in the '851 patent.

WHEREFORE, Plaintiffs request that a judgment be entered against Champion:

a. Preliminarily and permanently enjoining Champion, its officers, employees, subsidiaries, agents, attorneys and all

1 persons in active concert with them, from any further  
2 infringement of the '139 and '851 patents;

3           b. Awarding damages, costs and interest to  
4 Plaintiffs under 35 U.S.C. §§ 284 and 154(d);  
5

6           c. Awarding up to treble damages upon a finding that  
7 Champion's infringement has been willful and wanton under 35  
8 U.S.C. § 284;

9           d. Declaring this case exceptional and awarding  
10 Plaintiffs their reasonable attorney's fees, pursuant to 35  
11 U.S.C. § 285; and

12           e. Awarding Plaintiffs such other and further relief  
13 as this Court deems just and proper.  
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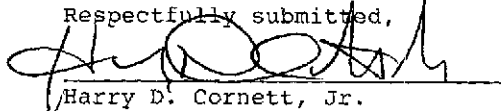
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DEMAND FOR JURY TRIAL

21. Plaintiffs hereby demand a jury trial on all triable issues presented by counts one and two and Plaintiff's prayer for relief.

Respectfully submitted,



Dated:

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